

## FACTSHEET VOTER ASSISTANCE

### The Right to Vote

The right to vote is a basic right and responsibility of a democratic society. A person must register before he or she may vote. The process of voter registration is voluntary and must be respected as an individual right exercised solely by that citizen.

An individual may lose the right to vote when he or she:

1. is deemed by the courts as mentally incompetent; or
2. is imprisoned for a felony.

### Assistance to Voters with Special Needs

Long stay patients at care homes or patients unexpectedly admitted to a hospital are still eligible to vote.

To ensure the security and integrity of election related activities at care facilities, staff members are discouraged from participating directly with a voter in the process of registering and/or voting absentee. Staff may assist **only upon receiving specific authorization** from the resident (voter).

When asked by a voter to render assistance, care facility staff must remain nonpartisan and have at least two people NOT of the same political party present. This will help eliminate the appearance of any election irregularities while assisting a voter.

In addition:

- Always be mindful of the voting rights of patients as well as their family members;
- Refrain from explicit or implicit discriminatory or coercive voter registration practices. Both are prohibited.
- Specific authorization must be obtained in order to collect completed voter registration forms and/or absentee ballot applications;
- Copying, duplicating or otherwise making use of any information provided

on registration forms is prohibited. Information provided by the individual on the affidavit for registration is confidential;

- If acting as an intermediary to pick up an absentee ballot, a letter of authorization from the registered voter must be obtained and submitted to the Clerk.
- No one may ask a voter to see or look at the contents of his or her ballot or choice of party;
- No one may mark a person's ballot or direct a person in voting without authorization;
- An attempt to vote in the name of the patient without specific authorization is illegal.

### **Rights to Voting Assistance**

A voter who is blind, unable to read or write English, or physically incapable of voting on his/her ballot, may be assisted by a person of his or her own choosing.

Who may assist the patient (voter) in voting?

- an authorized family member, or
- another authorized individual who is not the voter's employer, agent of the employer, or union's agent.

This Factsheet is intended for informational purposes only and should not be used as an authority on the Hawaii election law and deadlines. Requirements and/or deadlines may change pending changes in legislation. Consult the Hawaii Revised Statutes and other sources for more detailed and accurate requirements.

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